

CHAPTER 257  
APARTMENT BUILDINGS, HOTELS  
AND ROOMING HOUSES

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**257-4. Capacity of Buildings. 1. SLEEPING AREA.** The capacity of habitable rooms of the living units of the building, other than community-based residential facilities, shall be established in accordance with Table 257-4.

**2. MINIMUM SIZE.** Habitable rooms shall be sized to provide the minimum areas specified in sub. 1.

**3. OVERCROWDING.** The number of occupants permitted in any room or in the building shall not exceed the capacity specified in this section.

**TABLE 257-4  
CAPACITY OF HABITABLE ROOMS**

| Minimum Areas<br>in Square Feet   |     |
|---|-----|
| Living room   | 150 |
| Living room with dining space   | 160 |
| Living room with dining and<br>cooking space                                    | 210 |
| Living room with a closet, wall, day or<br>other bed                            | 190 |
| Living room with a closet, wall, day or<br>other bed, dining and cooking spaces | 250 |
| Dining room   | 70  |
| Dining room and cooking space   | 90  |
| Kitchen in dwelling unit of one bedroom   | 50  |
| Kitchen in dwelling unit of more than one<br>bedroom                            | 60  |
| Kitchen and dining space  | 90  |
| Minimum Areas in Square Feet Bedroom<br>in dwelling unit of one bedroom         | 100 |

|   |     |
|---|-----|
| Bedroom, second in dwelling unit of<br>more than two bedrooms                       | 100 |
| Habitable rooms other than rooms<br>regulated above                                 | 70  |
| Bedrooms in convents, dormitories, monasteries                                      |     |
| Rooms occupied by one person  | 70  |
| Rooms occupied by more than one person<br>(per person)                              | 50  |
| Bedrooms in homes for the aged  |     |
| Rooms occupied by one person  | 70  |
| Rooms occupied by more than one<br>person (per person)                              | 60  |
| Rooms used for clothes storage shall have<br>minimum dimensions of 2 feet 6 inches. |     |
| Bathrooms:  |     |
| Water closet and tub  | 12  |
| Each shower, urinal, lavatory or other<br>sanitary plumbing fixture                 | 10  |
| Toilet room containing one water closet   | 10  |

**257-9. Minimum Ceiling Heights. 1.** The minimum ceiling height of rooms shall not be less than 7 feet.

**2.** Except as otherwise regulated herein, the minimum clear ceiling height of rooms shall not be less than 8 feet. Such ceiling height may be reduced to 7 feet 6 inches when the area of the room is increased to provide a volume equivalent to that obtained with an 8 foot ceiling height.

**3.** In dwelling units in which kitchens are used exclusively as work areas and are not provided with dining space, suspended luminous ceilings or panels may be installed with a clear ceiling height of 7 feet.

**4.** Sloping roofs may penetrate rooms, provided that any portion of any room under a sloping roof having a height of less than 5 feet shall not be considered as part of the floor area in computing areas or volume of such rooms. Rooms under a sloping roof shall have a minimum ceiling height of 7 feet 6 inches for not less than 1/2 of the required area of the room.

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5. Rooms in any building or structure having ceiling heights of areas which do not conform to the regulations of this section shall not be used for human habitation.

6. See s. 257-17 for ceiling heights for rooms below grade.

#### **257-9.3. Substandard Living Units and Bedrooms.**

1. No additional dwelling units (apartments) or bedrooms shall be created or maintained by rearranging room suites, by subdividing of rooms, or by alterations in any existing building or structure unless such dwelling units or bedrooms have been authorized by permit and comply with the regulations of this chapter and ch. 295.

2. Where in any building or structure a room or suite of rooms is not provided with a kitchen sink and running water, it shall be unlawful for any owner, tenant or lessee to cook or permit cooking in such room or suite of rooms, or to use or permit the use of any lavatory (wash basin) as a kitchen sink. Such rooms may be used for living and sleeping only.

**257-9.6. Locker Room Partitions.** Partitions of locker rooms used for tenant or building accessory storage shall be constructed of noncombustible material (wire mesh or other approved material), except that support having a cross-sectional area of not less than 8 square inches (nominal) may be of wood.

**257-10. Ventilation of Attic Spaces.** Attic spaces and spaces between roofs and top floor ceilings shall be provided with openings to effectuate cross-ventilation in these areas. Said openings shall be protected against entrance of snow, rain, insects and birds. The free vent area shall be one three-hundredths of the ceiling area. In attics 50% of the ventilating area is to be located in the upper portion of the space to be vented and with the balance of the required ventilation area provided in the eave or cornice. Spaces between roofs and top floor ceilings shall be provided with openings to effectuate cross-ventilation in these areas.

**257-11. Elevation of Finished Yard Grade at the Building Perimeter.** The proposed finished yard grades of a newly-constructed 3 to 8-unit residential building at the building perimeter, as shown on the plat of survey required by

s. 200-26-1-c, shall be compatible with adjacent properties and adjoining existing or proposed streets and alleys. Compatibility shall be determined using one or more of the following criteria:

1. The elevation of existing or proposed public walks which adjoin the property.

2. The elevation of existing or proposed streets which adjoin the property.

3. The elevation of existing or proposed alleys which adjoin the property.

4. The elevation of the lot as shown on the subdivision grading plan, if such plan exists. In the absence of such plan, existing, established grades shall be used.

5. The elevations of the lot lines of the adjacent properties.

6. If an adjoining property has been developed, the finished yard grades of that property.

7. If an adjoining property is not developed, the proposed finished yard grades of that property.

8. The natural drainage of the lot with respect to the topography of the lot and the surrounding topography.

9. Natural features on the lot, such as wooded areas, that would be disturbed if the existing lot grade were to be altered.

#### **257-12. Sanitary Facilities; Individual Living or Sleeping Units.**

1. **KITCHEN SINK.** One kitchen sink, equipped with hot and cold water, shall be provided in living units equipped for food preparation.

2. **BATHROOMS AND TOILET ROOMS.** Bathrooms and toilet rooms in individual living and sleeping units shall have a floor area of not less than 12 square feet for each water closet and each tub, and 10 square feet for each shower, urinal, lavatory (wash basin), or other sanitary plumbing fixtures or equipment installed therein. Toilet rooms containing one closet fixture shall be not less than 14 square feet in area with a minimum width of 3 feet. The ceiling height of bathrooms or toilet rooms shall be not less than 7 feet.

3. **SHOWER COMPARTMENTS.** Shower compartments shall have at least 1,024 square inches of floor area, a curb at least 3 inches in height and shall have a minimum dimension of 30 inches. Each shower room or

compartment shall be constructed of materials impervious to water and shall have walls of smooth, noncorrosive, nonabsorbent, waterproof materials to a height of 6 feet above the floor level. The walls shall form a watertight joint with each other and with the tub, receptor or shower floor. Preformed and prefabricated units shall comply with this section.

4. **PRIVACY.** Each bathroom or toilet room shall be provided with a door. No bathroom or toilet room shall provide sole access to any other room.

**257-17. Basement Rooms.** In existing buildings, no living or sleeping rooms shall be located and maintained in a basement when not in compliance with the following:

1. Rooms shall have a minimum ceiling height of 7 feet 6 inches from floor to basement ceiling.

2. A minimum to 50% of the clear ceiling height of any basement dwelling shall be above the lot grade adjoining that room.

3. All rooms shall have a window or windows opening upon an open space, and the total window area for each room shall be at least 1/10 of the floor area of that room, with the upper half of such window capable of being open for the full width of the window.

4. The walls and floor shall be dampproof and waterproof.

5. Such rooms shall be fit for human habitation as determined by the department.

**257-18. Light and Ventilation; Habitable Rooms.** 1. Kitchens, dining rooms and other rooms, excepting living and sleeping rooms, need not be provided with windows if such rooms have openings in the common walls with rooms having windows. The areas of these openings shall be at least 25% of the area of the room without openings, but in no case less than 20 square feet.

2. An exhaust fan with a capacity of at least 50 CFM shall be provided in any such room without windows when any portion of the required openings is equipped with doors. Such exhaust shall discharge to the outside, directly or by means of a duct. Doors used in required openings shall have louvered openings of at least 50% of the door area.

3. An exhaust fan with a capacity of 50 CFM shall be provided in any kitchen without windows when the area in the common wall between the kitchen and the room with windows is less than 50% of the floor area of

the kitchen. The fan shall discharge to the outside, directly or by means of a duct.

4. Rooms without windows shall have their floor area added to the room with windows when determining the required window area for such room without windows.

**257-20. Waste Containers Required.**

The site plan submitted for new multi-family buildings of 5 units or more shall designate an area on the plan for the location of solid waste receptacles suitable for the building requirements and shall be in compliance with the following:

1. Such designated areas shall be screened from the view of adjacent properties by a fence or wall having at least 80% opacity and at least 3 feet in height, or a combination of shrubs and trees; except such shrubs shall be limited to varieties which average, at a minimum, 2.5 feet to 3.5 feet in height at maturity.

2. The designated waste receptacle area shall be located to the rear of the property if possible.

3. All designated waste receptacle areas shall be secured and be maintained in a neat and orderly manner.

4. Site plans related to provisions of this section must be approved by the department of public works - operations division and the department of city development.

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and Rooming Houses**

**LEGISLATIVE HISTORY  
CHAPTER 257**

Abbreviations:

am = amended  
cr = created

ra = renumbered and amended  
rc = repealed and recreated

rn = renumbered  
rp = repealed

| <u>Section</u> | <u>Action</u> | <u>File</u> | <u>Passed</u> | <u>Effective</u> |
|----------------|---------------|-------------|---------------|------------------|
| ch. 257        | cr            | 85-1396     | 12/20/85      | 1/1/86           |
| 257-01         | am            | 980939      | 10/30/98      | 11/18/98         |
| 257-01         | rp            | 020467      | 8/1/2002      | 8/20/2002        |
| 257-11         | rc            | 010349      | 7/17/2001     | 8/3/2001         |
| 257-11-2-a     | am            | 980963      | 12/18/98      | 1/1/99           |
| 257-17-5       | am            | 980963      | 12/18/98      | 1/1/99           |
| 257-20         | cr            | 000322      | 11/8/2000     | 11/29/2000       |
| 257-20-4       | am            | 010858      | 11/9/2001     | 1/1/2002         |

**[Pages 483 to 490 are blank]**